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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,448	03/30/2004	Ron Rotstein	CM06425H	4662
22917	7590	05/03/2007		
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			EXAMINER , BOCURE, TESFALDET	
			ART UNIT	PAPER NUMBER
			2611	
			NOTIFICATION DATE	DELIVERY MODE
			05/03/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.Schaumburg@motorola.com
APT099@motorola.com

Office Action Summary

Application No.

10/813,448

Applicant(s)

ROTSTEIN ET AL.

Examiner

Teshaldet Bocure

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9 and 10 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/11/05
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

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DETAILED ACTION

Information Disclosure Statement

1. The Examiner has considered the Information Disclosure Statement (IDS) received on 10/11/05 and the initialed copy (one page) of the IDS is attached with this correspondence.

Specification

2. The abstract of the disclosure is objected to because the title of the invention should be deleted. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-7 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akhter et al., Akhter hereinafter (US Patent Publications No. 2004/0137851) in view of Kim et al., Kim hereinafter (US Patent No. 7,190,748).

6. Akhter teaches a frequency offset controller (fig. 1-3) for correcting the frequency offset of the received signal comprising: receiving the signal $r(t)$; processing the received signal and generating a frequency offset of the received signal (208 and 210); averaging the current and the previous frequency offset (see paragraph 0013, 0016, 0018 and claims 9, 18 and 23); and applying the averaged frequency offset to the received signal for correcting the frequency (see the received signal multiplied by a frequency correction signal in figures 1-3) as in claims 1, 5, 7 and 10.

What Akhter fails to teach is that: the receiver receiving a signal transmitted from a transmitter in WLAN as in claims 1, 5, 7 and 10; the received signal is from an access point of wireless network as in claim 2; source field to determine a source of the message as in claim 3; and the method is performed by a transmitter of a wireless local area network wherein the transmitter is encompassed in an access point and mobile as in claim 4, 6 and 9.

Kim for the same endeavor as the instant application and that of Akhter teaches a wireless local area network (see fig. 1) having access point (12) for communicating with a plurality of mobile units as in claims 1, 2, 4, 5, 6, 7, 9 and 10; the mobile units having means and method for correcting the frequency offset of the carrier frequency (see

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abstract and col. 1, lines 16-60) of a signal transmitted by the access point complying according to the IEEE 802.11 (see col. 1, line 1, lines 40-60 and figure 3), where the received frame having preamble for frequency acquisition as in claim 7; and the frame having inherent address for the receiver to determine the source of the signal received for further processing as in claim 3 (see fig. 3).

Therefore, it would have been obvious to one of an ordinary skill in the art to use the access point of Kim in the system of Akhter for accessing and tune to the received signal from the plurality of mobile units (16a-16N) through a single access point 12 in a centralized fashion according to the direction of the access point at the time the invention was made.

Allowable Subject Matter

7. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US patent Publication Numbers 2004/0156423 and 2002/0191535 issued to Li et al. and Sugiyama et al. respectively disclosure a receiver having means for estimating the frequency by averaging the current and previous estimated frequency offset.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tesfaldet Bocure whose telephone number is (571) 272-3015. The examiner can normally be reached on Mon-Thur (7:30a-5:00p) & Mon.-Fri (7:30a-5:00p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayanti (Jay) Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.Bocure

Tesfaldet Bocure
Primary Examiner
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